

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No.	CV 11-5370 AHM (MANx)	Date	August 1, 2012
Title	RAMIREZ V. COUNTY OF LOS ANGELES, ET AL.		

Present: The Honorable	A. HOWARD MATZ, U.S. DISTRICT JUDGE		
Stephen Montes	Not Reported		
Deputy Clerk	Court Reporter / Recorder		Tape No.
Attorneys <b>NOT</b> Present for Plaintiffs:	Attorneys <b>NOT</b> Present for Defendants:		

**Proceedings:** IN CHAMBERS (No Proceedings Held)

On July 3, 2012, the Court granted in part and denied in part the motion to dismiss brought by Defendants County of Los Angeles and Sheriff Lee Baca. (Dkt. 23.) The Court denied the motion with respect to all claims against the County. The Court also denied the motion with respect to the wrongful death and negligence claims against Sheriff Baca but dismissed Plaintiffs' Cal. Civ. Code § 52.1 claim against Sheriff Baca with prejudice. Plaintiffs' claims against Sheriff Baca for violation of 42 U.S.C. § 1983 and for intentional infliction of emotional distress were dismissed with leave to amend. Plaintiffs were given until July 24, 2012, to file a Second Amended Complaint.

To date, Plaintiffs have not filed a Second Amended Complaint. Thus, this case will proceed only on the basis of allegations set forth in the First Amended Complaint. The remaining claims in this action are:

- (1) Plaintiffs' claims against the County for violation of 42 U.S.C. § 1983 and wrongful death,
- (2) Plaintiffs' claims against Sheriff Baca for wrongful death and negligence, and
- (3) Plaintiffs' claims against Does 1-10 for violation of 42 U.S.C. § 1983, Cal. Civ. Code § 52.1, wrongful death, battery, intentional infliction of emotional distress, and negligence.

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Although this case was filed on June 28, 2011, Plaintiffs have not yet made an attempt to substitute any Doe defendants. Neither have Plaintiffs nor Plaintiffs' counsel responded to the concern the Court raised on page 1, footnote 2, of its July 3 Order regarding the ability of counsel to continue representing the minor Plaintiffs without the appointment of a guardian ad litem. Accordingly, the Court ORDERS Plaintiffs to show cause in writing by August 13, 2012, why all Doe defendants and the minor Plaintiffs M.J.H. and J.R.H. should not be dismissed from this action for lack of prosecution.

Initials of Preparer

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